

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CYPRIAH DIAZ	:	CIVIL ACTION
Petitioner,	:	
	:	
v.	:	No. 14-3432
	:	
JOHN KERESTES <i>et al.</i>	:	
Respondents.	:	

ORDER

This 25th day of March, 2015, upon careful and independent consideration of the pleadings and record herein, and after review of the Report and Recommendation of United States Magistrate Judge Carol Sandra Moore Wells, dated December 22, 2014, and *pro se* petitioner's Objection to Report and Recommendation, **IT IS ORDERED** as follows:

1. Petitioner's Motion for the Appointment of Counsel is **DENIED**.
2. The December 22, 2014 Report and Recommendation of United States Magistrate Judge Carol Sandra Moore Wells is **APPROVED** and **ADOPTED**;
3. Petitioner's objections are overruled in all other respects for the reasons stated by Magistrate Judge Wells in the Report and Recommendation dated December 22, 2014;
4. The Petition for Writ of Habeas Corpus filed by Cypriah Diaz is **DISMISSED**; and
5. There is no probable cause to issue a certificate of appealability.

/s/ Gerald Austin McHugh
United States District Court Judge